REMARKS

Claims 1-7, 9-15, 17 and 18 are pending. Claims 1, 9-15, 17 and 18 have been amended. Claims 1, 9, 17 and 18 are the independent claims. Claims 8 and 16 have been cancelled without prejudice.

Claims 1-8 and 9-16 were rejected under 35 U.S.C. § 101 as not being directed to patentable subject matter. Cancellation of claims 8 and 16 renders their rejection moot. The amended claims are believed to clearly conform with Section 101, and withdrawal of the rejection is respectfully requested.

Claims 1, 2, 5, 8, 9, 10, 13 and 16-18 were rejected under 35 U.S.C. § 103 over Center, Jr. in view of U.S. Patent 6,072,496 (Guenter et al.) and U.S. Patent 5,369,726 (Kroeker et al.). Claims 3, 4, 11 and 12 were rejected under 35 U.S.C. § 103 over Center, Jr. in view of Guenter et al. and Kroeker et al. and further in view of U.S. Patent 6,236,749 (Satonaka et al.). Claims 6, 7, 14 and 15 were rejected under 35 U.S.C. § 103 over Center, Jr. in view of Guenter et al. and Kroeker et al. and further in view of U.S. Patent Pub. No. 2003/113002 (Philomin et al.). Applicant submits that the amended independent claims are patentable over the cited art for at least the following reasons.

Amended independent claim 1 recites, inter alia, a step of clipping a plurality of different local areas of the image by an area clipping section of the face metadata generating unit, the plurality of different local areas having, as centers, points previously set at regular intervals.

The amendment to claim 1 is supported by the specification at page 8, lines 7-12, in which a face metadata generating unit (12) comprises an area clipping section (121) that clips local areas of an input face image. The local areas have, as centers, points previously set at regular intervals. For example, the local areas may be defined by uniform sampling, as described on page 8, lines 26-27 of the specification. Of course, the claims are not limited to the disclosed embodiments.

Center, Jr., in order to find a head and an eye, performs a correlation operation between a template image (DESIGN TEMPLATE, FIG. 8) and a region of interest (ROI) image (FACIAL ROI, RIG. 8) to produce a correlation map. In order to calculate the correlation map obtained by the correlation operation at high speed, a Fourier transformation is carried out. Although the Office Action refers to extraction of features (eigenfaces) using principal component analysis in paragraph 110 of Center, Jr., the features use, as inputs, values (intensity values) at points in an image space but do not use frequency features in the above-mentioned Fourier transformation. Applicant has found no teaching or suggestion of the abovementioned feature of amended claim 1 in Center, Jr.

Applicant submits that the other cited references do not remedy the abovementioned deficiency of Center, Jr. as a reference against amended claim 1. For at least this reason, amended claim 1 is believed patentable over the cited art.

The other amended independent claims recite a similar feature and are believed patentable for similar reasons. The dependent claims are patentable for at least the same reasons as their respective base claims.

The above amendments are believed to clearly place this case in condition for allowance and their entry is respectfully requested.

In view of the above amendments and remarks, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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